

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF  
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office OCT 31 2002

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed OCT 31 2002

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The applicant **Stuart J. & Susan K Mackie**, hereby make application for permission to change the **Place of Use** of water heretofore appropriated under **Truckee Carson Irrigation District Serial No. 1002-3-1, United States of America v. Orr Ditch Co. in Equity No. A-3, Claim No. 3; in the Federal District Court of Nevada**

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1. The source of water is **Truckee River**
2. The amount of water to be changed **9.00 ac ft**
3. The water to be used for **Irrigation**
4. The water heretofore permitted for **as decreed**
5. The water is to be diverted at the following point **Derby Dam located within the NE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 19, T.20N., R.23E., M.D.B.&M.**
6. The existing permitted point of diversion is located within **No change**
7. Proposed place of use **SW $\frac{1}{4}$  SE $\frac{1}{4}$  (.10 ac.) and SE $\frac{1}{4}$  SE $\frac{1}{4}$  (1.90 ac.) of Section 33, T.20N., R.26E., M.D.B.&M. A total of 2.00 ac.**
8. Existing place of use **NW $\frac{1}{4}$  SW $\frac{1}{4}$  (1.05 ac.) and SW $\frac{1}{4}$  SW $\frac{1}{4}$  (.95 ac.) of Section 10, T.20N., R.24E., M.D.B.&M. A total of 2.00 ac.**
9. Use will be from **as decreed**
10. Use was permitted from **as decreed**
11. Description of proposed works **dams, canals & ditches**
12. Estimated cost of works **complete**
13. Estimated time required to construct works **complete**
14. Estimated time required to complete the application of water to beneficial use **3 years**
15. Remarks: **Matched water through the AB380 program with Jamie Mills**

By **Barry A. Fitzpatrick S.W.R.S. #817**  
**s/Barry A. Fitzpatrick Agent**  
**178 S. Maine Street**  
**Fallon, Nevada 89406**

Compared cmf/ cac lb/cmf

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of a portion of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River Final Decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 9.0 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed before:

N/A

Water must be placed to beneficial use on or before:

August 26, 2006

Proof of the application of water to beneficial use shall be filed on or before:

September 26, 2006

Map in support of proof of beneficial use shall be filed on or before:

September 26, 2006

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 26th day of August, A.D. 2003

  
State Engineer

Completion of work filed February 26, 1997 under Permit 61639

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_